

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA for the)
use of NORTH STAR TERMINAL &)
STEVEDORE COMPANY, d/b/a Northern)
Stevedoring & Handling, and NORTH)
STAR TERMINAL & STEVEDORE COMPANY,)
d/b/a Northern Stevedoring & Hand-)
ling, on its own behalf,)
)
 Plaintiffs,)
and)
)
UNITED STATES OF AMERICA for the)
use of SHORELINE PETROLEUM, INC.,)
d/b/a Marathon Fuel Service, and)
SHORELINE PETROLEUM, INC., d/b/a)
Marathon Fuel Service, on its own)
behalf,)
)
 Intervening Plaintiffs,)
and)
)
METCO, INC.,)
)
)
 Intervening Plaintiff,)
vs.)
)
NUGGET CONSTRUCTION, INC.; SPENCER)
ROCK PRODUCTS, INC.; UNITED STATES)
FIDELITY AND GUARANTY COMPANY; and)
ROBERT A. LAPORE,)
)
 Defendants.)

)

No. A98-0009-CV (HRH)

O R D E R

Motion to Extend
Deadline for
Expert Reports

Defendants move to extend the deadline for the filing of expert reports.¹ The motion is opposed by plaintiffs and intervenors.

¹ Clerk's Docket No. 442.

Defendants have the better of this disagreement about expert disclosures. The parties' report of October 11, 2005,² and the court's order of October 13, 2005,³ expressly incorporated compliance with Rule 26(a)(2)(C). Under this rule, a party wishing to contradict or refute the expert report of an opposing party must make the requisite disclosures within 30 days after disclosure by the opposing party. Plaintiffs and intervenors complied with the agreed February 14, 2006, disclosure date.⁴ Therefore, Nugget's contradicting report is due to be disclosed on or before March 17, 2006. By agreement of the parties and the court's order of October 13, 2005, discovery closes March 31, 2006. Two expert depositions are contemplated to be completed by that date. In the hope of easing tension between counsel, the court will approve a stipulation of the parties extending discovery for the completion of two expert depositions.

Dated at Anchorage, Alaska, this 14th day of March, 2006.

/s/ H. Russel Holland
United States District Judge

² Clerk's Docket No. 414.

³ Clerk's Docket No. 415.

⁴ Opposition of North Star at 3, Clerk's Docket No. 460.